

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-05 H-01 INR-10 L-03
NSAE-00 NSC-05 PA-01 SP-02 SS-15 USIA-06 MCT-01
HA-05 SY-05 USSS-00 TRSE-00 /072 W
-----098968 230811Z /11/40

P R 221733Z MAR 78
FM AMEMBASSY ROME
TO SECSTATE WASHDC PRIORITY 1507
INFO AMCONSUL FLORENCE
AMEMBASSY BONN
DIA
AMCONSUL GENOA
AMEMBASSY LONDON
AMCONSUL MILAN
AMCONSUL NAPLES
AMCONSUL PALERMO
AMEMBASSY PARIS
SHAPEUSNR
AMEMBASSY VIENNA
USCINCEUR, VAHINGEN, GERMANY
USDOCOSOUTH
USMISSION USNATO
AFOSI DIST 65 ROME IT/IVOA
HG AFOSI WASHDC/IVOAD

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C O R R E C T E D C O P Y (ADDING EO, TAGS, AND SUBJECT)

E.O. 11652: N/A
TAGS: PINT, PINS, IT
SUBJECT: MORO KIDNAPPING -- GOVERNMENT DECREES NEW EMERGENCY
PUBLIC ORDER MEASURES.

SUMMARY: NEARLY A WEEK AFTER THE MORO KIDNAPPING, THERE
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HAVE APPARENTLY BEEN NO BREAKS IN THE CASE WHICH CONTINUES
TO DOMINATE THE ITALIAN MEDIA. IN AN ATMOSPHERE OF ANGRY
FRUSTRATION, THE PRESS, POLITICIANS AND POLICE AUTHORITIES
HAVE BEGUN TO TRADE ACCUSATIONS AND RECRIMINATIONS.
THE CRISIS HAS ENABLED THE GOVERNMENT, HOWEVER, TO OB-
TAIN FULL POLITICAL SUPPORT (INCLUDING THAT OF THE
COMMUNISTS) FOR A SERIES OF STRONG EMERGENCY ANTI-

TERRORIST MEASURES. ISSUED ON MARCH 21 AS
DECREE LAWS WITH IMMEDIATE EFFECT, THE NEW MEASURES
INCREASE THE PENALTIES FOR KIDNAPPING AND BROADEN POLICE
POWERS SIGNIFICANTLY IN THE AREA OF INTERROGATION, WIRE-
TAPS AND PREVENTIVE DETENTION. END SUMMARY.

1. THERE HAVE BEEN ESSENTIALLY NO NEW DEVELOPMENTS
IN THE MORO KIDNAPPING SINCE THE DISCOVERY ON MARCH
19 OF THE BRIGATE ROSSE PHOTOGRAPH OF MORO AND
MESSAGE. ROADBLOCKS CONTINUE TO BE MOUNTED AT
VARIOUS POINTS IN ROME AND AT VARIOUS INTERSECTIONS
ON THE OUTSKIRTS. A SEARCH CONCENTRATED IN THE NORTH-
WESTERN SECTION OF THE CITY HAS APPARENTLY YIELDED NO
LEADS. THE PRESS REPORTS THAT FIVE GERMAN AND 2
BRITISH ANTI-TERRORISM EXPERTS HAVE JOINED THE
ITALIAN INVESTIGATORY EFFORT.

2. WITH PRESS ATTENTION RIVETED ON THE MORO KIDNAPPING,
JOURNALISTS, POLITICIANS, AND POLICE AUTHORITIES HAVE
BEGUN TO TRADE ACCUSATIONS AND RECRIMINATIONS.
THE POLICE AND SECRET SERVICES ARE ACCUSED OF IN-
EFFICIENCY AND BUNGLING. THE FACT THAT TWO OF THE
BRIGATE ROSSE SUSPECTS (WHOSE PHOTOGRAPHS WERE WIDELY
CIRCULATED IN THE MEDIA) TURNED OUT TO BE ALREADY IN
DETENTION DID LITTLE TO ENCOURAGE CONFIDENCE IN THE
POLICE. FURTHERMORE, AS IF TO MOCK POLICE
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AUTHORITIES, TWO OF THE VEHICLES USED BY THE TERRORISTS
WERE DRIVEN AND LEFT ON THE SAME STREET NEAR THE
KIDNAPPING ON TWO SUCCESSIVE DAYS DESPITE REPORTEDLY
MASSIVE POLICE OPERATIONS AND ROADBLOCKS IN THE
AREA. THE POLITICAL CLASS HAS FARED LITTLE BETTER.
THE POLITICIANS ARE ACCUSED OF HAVING DONE NOTHING
IN THE LAST FEW YEARS TO PREVENT THE DETERIORATION
OF THE POLICE AND SECURITY FORCES OR COMBAT THE
GROWTH OF POLITICAL TERRORISM. FINALLY, THE
PRESS IS BEING CRITICIZED BY BOTH POLICE AND POLITICAL
LEADERS FOR IRRESPONSIBLE SENSATIONALISM AND
LACK OF COOPERATION (THE NEWSPAPERMAN WHO RESPONDED
TO THE BRIGATE ROSSE TELEPHONE CALL, FOR EXAMPLE,
DID NOT INFORM THE POLICE BEFOREHAND, THEREBY MAKING
IT IMPOSSIBLE FOR AUTHORITIES TO QUESTION AN INDIVI-
DUAL STANDING NEAR THE PHOTO-MACHINE IN WHICH THE
TERRORIST PHOTO AND MESSAGE WERE CONCEALED).

3. THE EMERGENCY ATMOSPHERE, HOWEVER, HAS ENABLED
THE GOVERNMENT TO OBTAIN FULL POLITICAL SUPPORT
FOR A SERIES OF STRONG ANTI-TERRORIST EMERGENCY MEASURES
THAT SIGNIFICANTLY BROADEN EXISTING POLICE POWERS.

ISSUED ON MARCH 21 BY THE COUNCIL OF MINISTERS AFTER
FULL CONSULTATION WITH THE FIVE PARTIES (INCLUDING THE
PCI) SUPPORTING THE GOVERNMENT, THE DRAFT DECREES
HAVE IMMEDIATE EFFECT:

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FM AMEMBASSY ROME
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INFO AMCONSUL FLORENCE
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1) INCREASED PENALTIES FOR KIDNAPPING: THE
MAXIMUM PUNISHMENT FOR KIDNAPPING (REDEFINED TO
INCLUDE ALSO TERRORIST CASES) WAS EXTENDED FROM 15
TO 30 YEARS, WITH A LIFE SENTENCE ADDED FOR CASES
IN WHICH THE HOSTAGE DIES.

2) RECYCLING KIDNAPPING EXTORTION MONEY:
SEVERE PUNISHMENT IS SET FOR THOSE INVOLVED IN
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EXCHANGING "CLEAN FOR "DIRTY" MONEY.

3) SECRET INVESTIGATION AND PROCEEDINGS:
IN SPECIAL CASES, THE EXCHANGE OF INFORMATION BETWEEN PROSECUTING JUDGES, MAGISTRATES, AND POLICE AUTHORITIES WILL BE PERMITTED.

4) PREVENTIVE DETENTION: THE POLICE IS GIVEN AUTHORITY TO ARREST AND DETAIN, WITHOUT WARRANT, INDIVIDUALS FOR IDENTIFICATION UP TO 24 HOURS.

5) INTERROGATION WITHOUT LEGAL ASSISTANCE:
ALTHOUGH A SUSPECT IS NOT OBLIGED TO REPLY, THE POLICE MAY INTERROGATE HIM WITHOUT THE PRESENCE OF HIS ATTORNEY. SUCH INFORMATION MAY NOT BECOME PART OF THE RECORD OR USED IN TRIAL.

6) TELEPHONE WIRETAPS: MAY BE AUTHORIZED BY A MAGISTRATE OR AUTHORIZED BY THE MINISTER OF THE INTERIOR IN EXCEPTIONALLY SERIOUS CASES. INFORMATION SO OBTAINED MAY BE USED TO DEVELOP OTHER CASES.

7) NOTIFICATION OF RENTAL, OR SALE OF PROPERTY:
EFFECTIVE AT THE END OF JUNE, 1977, ANYONE RENTING OR SELLING LIVING QUARTERS MUST NOTIFY THE POLICE OF THE IDENTITY OF THE BUYER/RENTER WITHIN 48 HOURS UNDER PAIN OF ARREST OR FINE.

4. WITH THE EXCEPTION OF THE RADICAL PARTY WHICH HAS STRONGLY CONDEMNED THE EMERGENCY MEASURES AS RESEMBLING FASCIST LIMITATIONS ON CIVIL LIBERTIES, ALL THE POLITICAL PARTIES HAVE SUPPORTED THEM AS
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NECESSARY TO COMBAT THE TERRORIST THREAT. THE SOCIALIST DAILY, AVANTI, HOWEVER, WARNED OF THE "RISKS THAT EXIST EVEN FOR EXTRAORDINARY MEASURES OF A TEMPORARY CHARACTER." AND CORRIERE DELLA SERA ALSO LAMENED THE NECSSITY OF IMPLEMENTING THE EMERGENCY DECREES, NOTING THAT "THEY MUST BE CONSIDERED TEMPORARY AND DISAPPEAR AS QUICKLY AS POSSIBLE."

5. COMMENT: THAT THE GOVERNMENT AND POLITICAL PARTIES

HAVE BEEN WILLING TO GO SO FAR IN THE LIMITATION OF CIVIL LIBERTIES IS A MEASURE OF THE SERIOUSNESS OF THE TERRORIST CHALLENGE AND ALSO OF THE OVERWHELMING PUBLIC SUPPORT FOR FIRMER ACTION AGAINST TERRORISM AND LAWLESSNESS. THE GOVERNMENT AND PARTIES HAVE BEEN UNDER MOUNTING PRESSURE TO DEMONSTRATE GREATER WILL AND FORCEFULNESS IN DEALING WITH THE PROBLEM. MORE THOUGHTFUL ITALIANS RECOGNIZE, HOWEVER, THAT BROADER POLICE POWERS ARE NOT A PANACEA AND WILL NOT, BY THEMSELVES, RESOLVE THE PROBLEM OF POLICE INEFFICIENCY. PARTICULARLY SINCE THE LATE SIXTIES, THE INTELLIGENCE FORCES, UNDER PRESSURE FROM THE LEFT, WERE SYSTEMATICALLY DISMANTLED TO THE POINT THAT IT IS GENERALLY RECOGNIZED THAT THEY NO LONGER HAVE ANY OPERATIONAL PENETRATION CAPABILITY TO SPEAK OF. RECENT ATTEMPTS AT REORGANIZATION OF THE SECURITY FORCES HAVE NOT YET GOTTEN OFF THE DRAWING BOARDS. UNDER THE CIRCUMSTANCES, THE SECURITY FORCES MUST UNFORTUNATELY RELY ESSENTIALLY ON THE HOPE OF A LUCKY BREAK. GARDNER

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Message Attributes

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Disposition Case Number: n/a
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TAGS: PINT, PINS, IT, (MORO, ALDO)
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